IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.68858-M of 2006

DATE OF DECISION:01.12.2006

Surjeet Kaur & Ors. .....Petitioners

Versus

State of Haryana .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri Baldev Singh, Sr. Advocate
with Shri Sudhir Sharma, Advocate
for the petitioners.

Shri Partap Singh, Sr. DAG, Haryana.

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The petitioners have filed this petition under Section 439 Cr.P.C. for the grant of regular bail in case FIR No. 61 dated 6.5.2006 under Sections 376 (g)/506/120-B IPC and Sections 3/5 of S.C. & S.T. (Prevention of Atricities) Act, 1989, registered at Police Station Jakhal, District Fatehabad.

I have heard counsel for the parties and gone through the contents of the FIR.

The petitioners, who are ladies, are in custody since 27.6.2006.

The allegations against them are that they have accompanied the complainant to the shop, whereby, allegedly a rape was committed. Counsel for the petitioners while referring referred to an affidavit of Chander Singh, Deputy Superintendent of Police, Tohana filed in Crl. Misc. No. 51529-M of 2006, who investigated the matter at one stage, states that during the said investigation, the version of the complainant was found to

be doubtful.

I have gone through the affidavit filed by Chander Singh, Deputy Superintendent of Police, Tohana. In the affidavit, DSP has given detail reasons for coming to the said conclusion.

Counsel for the respondent-State states that now the investigation has been handed over to another DSP Sh. Harish Kumar and the same will take atleast two months.

Keeping in view the aforesaid facts and the fact that the petitioners are ladies and alleged to have only accompanied the girl belonging to the same village and also the fact that in the inquiry, the version of the complainant was found doubtful, I deem it appropriate to grant regular bail to the petitioners. They are accordingly ordered to be released on bail subject to their furnishing bail bonds to the satisfaction of trial Court.

December 01, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**